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10/690,016	10/21/2003	Luciano Fenizia	FR920020060US1	4792

EXAMINER
WHIPPLE, BRIAN P

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2152	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/690,016	Applicant(s) FENIZIA ET AL.	
	Examiner Brian P. Whipple	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-10 and 12-14 are pending in this application and presented for examination. Claim 11 was cancelled by applicant's amendment on 4/23/07.
2. The amendment received on 4/23/07 has been entered and made of record.

Response to Arguments

3. Applicant's arguments filed 4/23/07 regarding the objections to drawings, informalities in the specification, claim objections, and 35 USC 112 rejections are persuasive. The objections and 35 USC 112 rejections have been withdrawn.
4. Applicant's arguments filed 4/23/07 regarding the 35 USC 102 and 103 rejections have been fully considered but they are not persuasive.
5. As to claim 1, Rouse does disclose, "said metafile containing a network address where said media content file can be obtained and an unencrypted file path leading to said media content file." Nowhere does the claim state that the media content file is located at the network address in the metafile directly. Rather, the claim states that the media content file can be obtained from the network address in the metafile. The media content file in Rouse can be obtained from the metafile via redirection to the ProtectURL.

Rouse discloses a metafile ([0116], ln. 9-14) containing a network address ([0116], ln. 12; an URL reference is a network address; [0118]) where said media content file can be obtained ([0118] – [0119]; [0122]; the metafile contains the network address of an URL reference where said media content file can be obtained through redirection to the ProtectURL) and an unencrypted file path ([0116], ln. 14-15) leading to said media content file ([0118] – [0119]; [0122]; the metafile contains an unencrypted file path leading to the media content file via the use of redirection to the ProtectURL).

The claim itself does not exclude the use of a temporary subdirectory to redirect a client to a media file. The subdirectory leads to the media file via redirection, and therefore the media file can be obtained.

6. Further regarding claim 1, Rouse does disclose, "sending to the customer computer the temporary metafile name" ([0116], ln. 9-14; [0122], ln. 1-9; the customer computer receives the temporary metafile name in the form of /station/access/tempname in this instance).

7. As to claims 2-10, the claims are not allowable due to the argued allowability of claim 1, as the examiner has maintained the 35 USC 102 rejection of claim 1.

8. Further regarding claim 4, Rouse does disclose, "computing said metafile name based on characteristics of said customer session" ([0122], ln. 23-26; [0127], ln. 1-8; whether or not a user has requested access to protected content is a characteristic of

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the customer's session, and in response to this characteristic being positive, a metafile name is generated, which can only be used by one subscriber in a controlled timeout period).

9. Further regarding claim 5, Rouse does disclose, "receiving said temporary metafile name" ([0116], ln. 9-14; [0122], ln. 1-9; the customer computer receives the temporary metafile name in the form of /station/access/tempname in this instance) and "using said temporary metafile name, requesting the temporary metafile from said application server" (Fig. 2, event A & B; [0122], ln. 1-9). As much is admitted in the applicant's arguments on pg. 8, ¶ 6, ln. 3-5, "in the office action, paragraph 24, Rouse provides that the 'web server sends webcast metafile back to the subscriber.'"

10. As to claims 12-13, the arguments are not persuasive for the same reasons as claim 1 above.

11. Further regarding claim 2, Rouse does disclose, "said temporary metafile also contains a name of said media content file" ([0118]; [0122], ln. 1-9; the temporary metafile contains the redirect containing the media content file name).

Miloushev does disclose an encrypted name ([0396], ln. 1-3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Rouse by using encryption as taught by Miloushev in order to add further security (Miloushev: [0396], ln. 3-5).

12. Further regarding claims 3 and 10, the claims are not allowable due to the argued allowability of claim 2, as the examiner has maintained the 35 USC 103 rejection of claim 2.

13. Further regarding claim 3, the arguments are not persuasive for the same reasons as claims 1-2 above.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15. Claims 1, 4-9, and 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Rouse, U.S. Publication No. 2003/0158816 A1.

16. As to claim 1, Rouse discloses a method for providing a customer computer with access, through a network, to a media content file, (Abstract, lines 1-9) said method comprising the steps of:

opening a session with the customer computer ([0077], lines 1-6);

receiving from the customer computer a request to view a media content file (Figure 1, event 103; [0116], lines 1-5);

creating a temporary metafile having a temporary metafile name, said metafile containing a network address where said media content file can be obtained and an unencrypted file path leading to said media content file ([0116], lines 9-14; [0122], lines 1-9);

sending to the customer computer the temporary metafile name (Figure 2, event B, "web server sends webcast metafile back to subscriber"; [0062], lines 1-4; [0122], lines 1-9); and

canceling or deleting the metafile before or at the end of said session with the customer computer ([0125], lines 1-7).

17. As to claim 12, Rouse discloses a server for providing a customer computer with access, through a network, to a media content file, (Abstract, lines 1-12) said server comprising:

means for opening a session with the customer computer ([0077], lines 1-6);

means for receiving from the customer computer a request to view a media content file (Figure 1, event 103; [0116], lines 1-5);

means for creating a temporary metafile having a temporary metafile name, said metafile containing a network address where said media content file can be obtained and an encrypted file path leading to said media content file ([0116], lines 9-14; [0122], lines 1-9);

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means for sending to the customer computer the temporary metafile name (Figure 2, event B, "web server sends webcast metafile back to subscriber"; [0062], lines 1-4; [0122], lines 1-9); and

means for canceling or deleting the metafile before or at the end of said session with the customer computer ([0125], lines 1-7).

18. As to claim 13, Rouse discloses a computer program product for providing a customer computer with access, through a network, to a media content file, (Abstract, lines 1-12) said computer program product comprising:

a computer readable medium (Abstract, lines 9-12; it is inherent that the server upon which the invention is operating contains the computer readable medium);

first program instructions to open a session with the customer computer ([0077], lines 1-6);

second program instructions to receive from the customer computer a request to view a media content file (Figure 1, event 103; [0116], lines 1-5);

third program instructions to create a temporary metafile having a temporary metafile name, said metafile containing a network address where said media content file can be obtained and an encrypted file path leading to said media content file ([0116], lines 9-14; [0122], lines 1-9);

fourth program instructions to send to the customer computer the temporary metafile name (Figure 2, event B, "web server sends webcast metafile back to subscriber"; [0062], lines 1-4; [0122], lines 1-9); and

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fifth program instructions to cancel or deleting the metafile before or at the end of said session with the customer computer ([0125], lines 1-7); and

wherein said first, second, third, fourth and fifth program instructions are recorded on said medium (Abstract, lines 9-12; it is inherent that the server upon which the invention is operating contains the computer readable medium).

19. As to claim 4, Rouse discloses the creating step further comprises the step of computing said metafile name based on characteristics of said customer session ([0127], lines 1-8).

20. As to claim 5, Rouse discloses said customer session was opened with an application server (Abstract, lines 1-12), and further comprising the following steps executed by the customer computer:

receiving said temporary metafile name (Figure 2, event B, "web server sends webcast metafile back to subscriber"; [0062], lines 1-4; [0122], lines 1-9);

using said temporary metafile name, requesting the temporary metafile from said application server ([0116], lines 1-5 and 9-14; [0122], lines 1-9);

sending a request to said network address to receive and play said media content file identified by said encrypted media content file name and unencrypted media content file path (Figure 1, event 106; [0119], lines 1-10; [0122], lines 1-9); and

receiving and playing the named media content file from said network address (Figure 1, event 107; [0119], lines 1-10; [0122], lines 1-9).

21. As to claim 6, Rouse discloses the following steps performed by a media content server having said network address: upon receipt of the unencrypted file path, checking if said unencrypted file path is a file path of an existing media content file accessible by the media content server, and if so, sending this media content file for playing to the customer computer (Figure 4, event C, "webcast server sends webcast stream to stream player"; [0122], lines 1-9).

22. As to claim 7, Rouse discloses said customer session is opened between said customer computer and an application server or a media content server ([0077], lines 1-6; [0088], lines 1-2; [0094], lines 1-7).

23. As to claim 8, Rouse discloses the following step performed by the customer computer:

installing a media player program; said media player program being automatically activated upon reception of said temporary metafile name to ([0116], lines 1-5 and 9-14; [0119], lines 1-10; [0122], lines 1-9; it is inherent that the media player must be installed prior to use):

request the named temporary metafile from an application server with which said session was opened ([0116], lines 1-5 and 9-14; [0122], lines 1-9);

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send data, identifying said media content file, within said named temporary metafile to said network address (Figure 1, event 106; [0119], lines 1-10; [0122], lines 1-9); and

receive and play said media content file received from said network address (Figure 1, event 107; [0119], lines 1-10; [0122], lines 1-9).

24. As to claim 9, Rouse discloses said temporary meta file name is sent to said customer computer within an HTML page ([0046], lines 1-4 and 6-13; [0050], lines 1-6; [0122], lines 1-9; the HTTP links are contained within HTML pages).

Claim Rejections - 35 USC § 103

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 2-3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rouse as applied to claim 1 above, in view of Miloushev et al. (Miloushev), U.S. Publication No. 2002/0120763 A1.

27. As to claim 2, Rouse discloses said temporary metafile also contains a name of said media content file ([0116], lines 9-14; [0122], lines 1-9).

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Rouse does not disclose an encrypted name.

However, Miloushev does disclose an encrypted name ([0396], lines 1-3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Rouse by using encryption as taught by Miloushev in order to add further security (Miloushev, [0396], lines 3-5).

28. As to claim 3, Rouse discloses the step of said customer computer requesting said temporary metafile to learn the encrypted media content file name, unencrypted media content file path and said network address ([0116], lines 1-5 and 9-14; [0122], lines 1-9),

and said customer computer subsequently sending said encrypted media content file name and said encrypted media content file path to said network address (Figure 1, event 106; [0119], lines 1-10; [0122], lines 1-9).

29. As to claim 10, Rouse and Miloushev further disclose the step of determining an unencrypted name of said media content file by a naming convention applicable to other unencrypted media content file names available from said network address (Rouse, Abstract, lines 1-12; Miloushev, [0393], lines 7-12; [0396], lines 1-3; Rouse discloses determining a name of a media content file and other media content files available from a network address; Miloushev discloses a deencryption process for file names).

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30. As to claim 14, the claim is rejected for the same reasons as claim 2 above (it may be interpreted that the media content file may only be sent to the customer computer if a properly encrypted, i.e. properly named, file name is sent to the server).

Conclusion

31. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571) 270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax

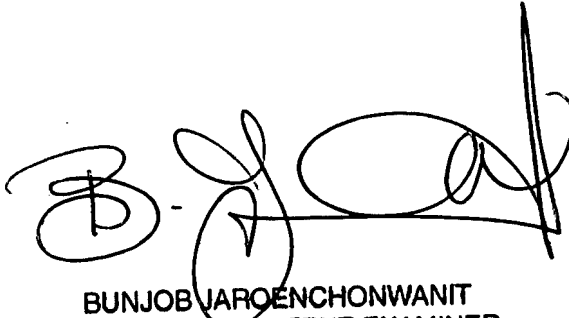
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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple
6/25/07


BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

7/5/7